

REMARKS

Claims 2-18 are pending in the application. Claim 15 is the only independent claim. Claim 1 has been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 2, 4-7, and 10-18 have been amended herein.

In view of the amendments above and the remarks below, Applicant respectfully requests entry of this Amendment, and reconsideration and allowance of the present application.

Applicant respectfully submits that entry of this Amendment is appropriate under 37 CFR § 1.116(b) because it is believed to place the application in condition for allowance. In this Amendment, Applicant has canceled the only rejected independent claim and rewritten Claim 15, deemed to recite allowable subject matter, in independent form. All remaining claims have been amended to depend from Claim 15. This Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the application in condition for allowance. For these reasons, entry of this amendment is believed proper, and is respectfully requested.

In the outstanding Office Action, all claims, other than Claim 15, were rejected. Specifically, Claims 1-7, 12, and 18 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 4,873,572 (Miyazaki). Claim 10 was rejected under 35 U.S.C. § 103(a) over Miyazaki with a supporting reference of WO 93/11631 (Denyer). Claims 8, 9, 11, 16, and 17 were rejected under 35 U.S.C. § 103(a) over Miyazaki in view of Denyer. Claim 13 was rejected under 35 U.S.C. § 103(a) over Miyazaki in view of U.S. Patent No. 6,157,420 (Nakanishi). Claim 14 was rejected under 35 U.S.C. § 103(a) over Miyazaki in view of U.S. Patent No. 5,565,914 (Motta).

Without conceding the propriety of the rejections, and solely to advance prosecution, Applicant has cancelled the sole independent claim, Claim 1. Claim 15, objected to in the Office Action, but held to contain allowable subject matter, has been rewritten in independent form. Accordingly, Applicant submits that Claim 15 is now in condition for allowance. Also as discussed above, the remaining claims now depend, directly or indirectly, from Claim 15. Applicant submits that those claims are also in condition for allowance for at least the reasons Claim 15 is allowable.

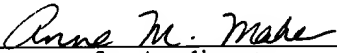
Accordingly, Applicant submits that the rejections made in the outstanding Office Action are now moot, and that the pending claims are in condition for allowance.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Entry of this Amendment, and favorable reconsideration and early passage to issue of this application, are respectfully requested.

Applicant filed a Supplemental Information Disclosure Statement on December 8, 2000, citing a document discussed in the specification of the present application. A copy of the PTO-1449 Form submitted with the Supplemental Information Disclosure Statement was returned to the Applicant with an Office Action mailed February 11, 2004 (Paper No. 9) (copy attached). However, the PTO-1449 Form was not initialled by the Examiner to indicate his consideration of the cited document. Accordingly, Applicant respectfully requests the Examiner to consider the cited document, initial the attached copy of the PTO-1449 Form submitted December 8, 2000, and return a copy of the initialled form with the next communication to the Applicant.

Applicant's undersigned attorney may be reached in our Washington, D.C., office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address below.

Respectfully submitted,



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LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

APPLICANT

YASUO SUDA

DATE FILED: December 8, 2000

FILING DATE

June 28, 2000

GROUP

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FOREIGN PATENT DOCUMENTS

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TRANSLATION
YES/NO/
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OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

"Kogaku Gijutsu Handbook Zohoban" (Handbook of Optical Technology, Enlarged
Edition), pp 172-174, 1975, Sakura Shoten

NER

DATE CONSIDERED

ER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy
1 with next communication to applicant.